THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.11612 OF 1997
Date: 23rd day of November,2006.

Between:
Tirupathi City Bus Employees Union, and three others
Petitioners

And

The District Collector, Chittoor and two others
Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No. 11612 OF 1997

ORDER:

1. The writ petitioners are all unions espousing the common cause of their members who are all said to be landless poor persons eking out their livelihood by indulging in small time professions. They have been soliciting for long for grant of pattas in and around Tirupathi town. The Revenue Administration of the State could not find adequate or suitable land within the limits of Tirupati for them to grant house site pattas in favour of the members of the writ petitioner unions. On the previous occasion W.P.No.21323 of 1995 is said to have been instituted in this court and by its order dated 22-9-1995 passed therein the Mandal Revenue Office, Tirupati Rural Mandal, was directed to consider the request for grant of house site pattas after conducting the necessary enquiry into the matter. At that stage, the Mandal Revenue Officer had considered the matter and rejected the request for grant of any assignment in Survey No.119 inasmuch as the said land was classified as tank poromboke land and consequently no assignment of land can be granted in tank poramboke lands. But however, when the Revenue Administration of the State had contemplated grant of house site pattas to the eligible persons approximately 13,600 applications have been received soliciting grant of house site pattas in Renugunta Mandal alone and out of them the most deserving 1367 beneficiaries have been identified and selected for the purpose of grant of house site pattas.

2. The counter affidavit filed by the Mandal Revenue Officer of Tirupathi, Rural Mandal, has specifically asserted that the writ petitioner unions (obviously their members) are among the 96 unions identified for grant of the house site pattas. The counter affidavit further goes to assert that the District

Administration has identified a Block of 50 acres of land situate in Survey Nos. 276, 277, 310 and 311 of Kurakalva Revenue Village in Renigunta Mandal which is considered as ideal location for the purpose of granting house site pattas. In fact, this proposal has also received the approval of the District Collector on 19-6-1996. But the grievance of the petitioners was that these assurances, approvals, identification of suitable land etc. have not been translated into actual and physical delivery/allotment of house site pattas in favour of the eligible beneficiaries and they have been going around the Revenue Administration soliciting the grant of pattas so as to undertake construction of their dwelling units therein. But however, the Revenue Administration could not finalize the issue relating to grant of pattas as the identified land is said to be very proximately close to the Airport at Tirupati. Perhaps human habitation in large extents of land in proximate closeness of airports is considered as a factor of hazarder hindrance because of the possibility of bird hits to the flights, inasmuch as birds keep hovering over the human habitation in pursuit of neglected or left over food items. But however, the issue has got to be finalized at some stage or the other. With each passing year, the problems of the eligible beneficiaries to find suitable house sites for construction of their own dwelling units will not become a reality thus causing grave impact upon their standards of life. It is, therefore, only hoped that the Revenue Administration would realize the importance of finalizing the entire matter at the earliest so that appropriate land not only be selected but the identified beneficiaries be delivered the respective pieces of land to enable them to construct their dwelling units. If necessary the District Administration should secure the appropriate approval from the Tirupati Urban Area Development Authority as well, before laying out actual housing colony for the beneficiaries . I therefore, consider it appropriate to direct the District Collector, Chittoor, who is the first respondent in this writ petition to undertake the study of the entire issue comprehensively enough and take a firm decision in the matter not only identifying suitable land but must also get the same laid out in a proper manner with the approval of the Tirupati Urban Area Development Authority

so that the housing scheme can be put to effective implementation. The entire issue is expected to be firmed up in a period of six months from the date of receipt of this order.

3. With the above direction, the writ petition stands disposed of . No order as to costs.

NOOTY RAMAMOHANA RAO,J

23-11-2006

Stp